

[COUNSEL LISTED ON SIGNATURE PAGE]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE INC.

Defendant.

CASE NO. CV 10-03561 WHA

**STIPULATION AND [PROPOSED]  
ORDER REGARDING EXCHANGE  
OF EXPERT DEMONSTRATIVE  
EXHIBITS**

Dept.: Courtroom 9, 19th Floor  
Judge: Honorable William H. Alsup

**STIPULATION**

WHEREAS, the Court's November 19, 2010 Case Management Order sets forth certain requirements regarding the disclosure of expert demonstrative exhibits (including illustrative animations, diagrams, charts, and models);

WHEREAS, the parties wish to clarify the procedure for exchanging expert demonstrative exhibits to be used at trial; and

WHEREAS, the Court's Case Management Order and Federal Rule of Civil Procedure 26(a)(2)(B) permit the parties to stipulate regarding the timing of expert disclosures;

**NOW THEREFORE THE PARTIES HEREBY STIPULATE AND AGREE that:**

1. Information underlying any expert demonstrative exhibit must be included or referenced in the expert's report. Referenced information must be provided when the expert's report is served, unless it is publicly available or has otherwise been produced in this litigation.

2. Expert demonstrative exhibits shall be produced to the other side at least two days prior to the expert's expected testimony at trial. (The parties may adjust the number of days by mutual agreement.)

**ORDER**

The foregoing stipulation is approved and IT IS SO ORDERED.

Date: \_\_\_\_\_

\_\_\_\_\_  
Honorable William H. Alsup  
Judge of the United States District Court

1 Dated: July 26, 2011

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**ATTESTATION**

I, Daniel P. Muino, am the ECF User whose ID and password are being used to file this STIPULATION REGARDING EXCHANGE OF EXPERT DEMONSTRATIVE EXHIBITS . In compliance with General Order 45, X.B., I hereby attest that Christa M. Anderson has concurred in this filing.

Date: July 27, 2011

/s/ Daniel P. Muino  
Daniel P. Muino